



Appeals and State Hearings Newsletter

Website: www.ladpss.org

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Our address: 3833 S Vermont Ave - 4th floor
Los Angeles, CA 90037

Why Do We Have State Hearings?



A court case, *Goldberg v. Kelley* established that public assistance recipients have a constitutional due process right to a hearing prior to the termination or reduction of benefits. This due process right includes adequate and timely notice, the opportunity to be heard by an impartial decision maker - a state Administrative Law Judge - and to receive a decision based on evidence presented in the hearing.

The State Hearings Division of the California Department of Social Services and Los Angeles County's Appeals and State Hearings Section have been "in business" since the *Goldberg v. Kelley* decision in 1970.

"GRADUATE" APPEALS HEARING SPECIALISTS

ASH is proud to announce that 21 new Appeals Hearing Specialists have completed a comprehensive training course, have successfully completed their probationary periods and are now full-fledged members of the ASH family. Six other "probationeers" will reach this step in ensuing months. Congrats to the graduating class of AHS!!!



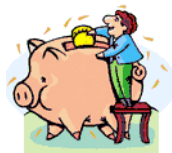
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Dear ASHley,

I discontinued a participant's case because he began working and will no longer be eligible to aid. When he appealed this action, our district's Appeals Liaison Worker received a form from ASH called a "Notice to Initiate Aid Paid Pending." Why would we be ordered to issue aid to a participant who is clearly not eligible to any further benefits?

Signed,
Wants to Save Money



Dear Wants,

Any participant can request a state hearing to dispute any county action or inaction. When the county proposes an adverse action, such as the discontinuance of benefits you mentioned above, the county sends timely and adequate notice of the intended action. If the participant requests a hearing before the effective date of the proposed action, the participant is entitled to continue to receive aid until the hearing takes place. This is "aid paid pending" the hearing. In some instances it continues even after the hearing takes place and until the county receives the Administrative Law Judge's written decision. If the judge finds that the county's action, in this case the discontinuance of aid, was correct, the county can recoup the aid paid pending amounts that the participant received.



Case Correction Memos (PA 411) sent by ASH to district offices now identify potential Food Stamp errors. If the issue involves Food Stamps, a notation on the upper right hand corner of the PA 411 alerts districts that the case in question may have a potential Food Stamp error!



In January 2004, there were 219 PA 411s with FS alert notations. Remember that a corrected case means one less error case!!!